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C O N F I D E N T I A L STATE 026643

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E.O. 12958: DECL: 03/12/2018

TAGS: [UNGA](#) [AZ](#) [PBTS](#) [PREL](#)

SUBJECT: VOTING INSTRUCTIONS FOR AZERBAIJAN UNGA RESOLUTION

REF: STATE 21209

Classified By: IO A/S Kristen Silverberg, for reasons 1.4 (b) and (d).

¶1. (C) This is an action request. Department continues to urge Azerbaijan to consider our proposed changes to the text of its UNGA resolution "on the situation in the occupied territories of Azerbaijan" and to delay a vote on the resolution, in the hope of allowing us (and our Minsk Group Co-Chair partners) to abstain or perhaps support the resolution. If Azerbaijan does not agree to delay or alter its text by March 14 -- the day the resolution is scheduled to be voted -- USUN should coordinate with our fellow Minsk Group (e.g., Russian and French) missions to: 1) issue a joint explanation of vote (EOV) in the name of the Minsk Group Co-Chairs before voting takes place, and 2) vote "no" on the resolution. (Note: USUN should not/not support a "no action" motion that might be proposed by the Russia delegation because of long-standing U.S. opposition to &no action8 motions. End note.) See para 2 for specific guidance. End action request.

¶2. (C) Failing agreement with Azerbaijan to delay a vote or reconsider our proposed changes to the text of its UNGA resolution "on the situation in the occupied territories of Azerbaijan,8 USUN is authorized to call the vote and join with the Russian and French missions to vote "no" on the resolution, stressing Minsk Group solidarity. Specifically, USUN should:

- encourage Azerbaijan to withdraw/delay the vote on the resolution to allow time for collaboration on a redraft;
- coordinate with Russia and France and call the vote;
- issue the joint EOV in para 4 below with Russia and France in the name of the Minsk Group Co-Chairs before the vote; and
- vote "no" on the resolution.

¶3. (C) Background: Azerbaijan has introduced a resolution concerning Nagorno-Karabakh in the UNGA under the frozen conflict agenda item. The resolution, as currently drafted, is one-sided and counter to the spirit and substance of Minsk Group negotiations on a Nagorno-Karabakh settlement, selectively focusing on elements of the package on the table that Azerbaijan supports while ignoring elements Armenia supports. The resolution marks a maximalist attempt by Azerbaijan to score tactical points while Armenia faces domestic political instability, and thereby risks poisoning the climate of Minsk Group negotiations. The resolution is likely to pass due to the support that Azerbaijan is receiving from its OIC colleagues and NAM countries. But a unified &no8 vote by the Minsk Group Co-Chairs will help minimize the resolution's damage to the peace process. The Co-Chairs do wish to underscore their support for Azerbaijan,s territorial integrity, but also for the

principle that NK,s status is the subject of negotiations.

14. (U) Begin EOv Text.

The political-level representatives of France, the Russian Federation, and the United States, as Co-Chairs of the OSCE Minsk Group dealing with the Nagorno-Karabakh (NK) conflict ) jointly proposed a set of basic principles for the peaceful settlement of the Nagorno-Karabakh (NK) conflict to the sides in November 2007 on the margins of the OSCE Ministerial Council in Madrid. These basic principles are founded on the provisions of the Helsinki Final Act, including those related to refraining from the threat or use of force, the territorial integrity of the states, and the equal rights and self-determination of peoples. The proposal transmitted to the sides in Madrid comprises a balanced package of principles that are currently under negotiation. The sides have agreed that no single element is agreed until all elements are agreed by the parties.

Unfortunately, this draft resolution selectively propagates only certain of these principles to the exclusion of others, without considering the Co-Chairs' proposal in its balanced entirety.

Because of this selective approach, the three OSCE Minsk Group Co-Chair countries must oppose this unilateral draft resolution. They reiterate that a peaceful, equitable, and lasting settlement of the NK conflict will require unavoidable compromises among the parties that reflect the principles of territorial integrity, non-use of force, and equal rights of peoples, as well as other principles of international law.

While the three Minsk Group Co-Chair countries will vote against this unilateral draft resolution, which threatens to undermine the peace process, they reaffirm their support for the territorial integrity of Azerbaijan, and thus do not recognize the independence of NK.

At a time when serious clashes have occurred along the Line of Contact with loss of life, both sides must refrain from unilateral and maximalist actions either at the negotiating table or in the field.

End EOv Text.

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